

HOMILY OF THE MOST REV. EDWARD M. EGAN,
BISHOP OF BRIDGEPORT

Your Excellency, Archbishop Cacciavillan, Reverend Clergy, Members of the John Carroll Society, Distinguished Representatives of the Bench and Bar, and Friends All:

This past summer, in Canton in the South of China, I sat in a hotel restaurant with a Chinese tour-guide who spoke English quite well. He had brought a busload of tourists to a store that sold porcelain and silk; and once they were safely inside, he invited me to join him for a cup of tea.

He was forty-five years of age, he told me. In his youth he had dreamed of mastering the English language and French as well. However, in the second year of his university studies, the so-called Cultural Revolution had intervened.

His eyes flashed as he described that decade of madness in China. He and dozens of his fellow students had been forced to watch two of their professors killed in a public square by a government-inspired mob. He had stood at attention for hours on several occasions as thousands of books from the university library were destroyed in bonfires. And in due course, he had been taken to the West of China to labor for three years on collective farms, his whereabouts unknown to family and friends.

"What," I asked him, "were the leaders of the Cultural Revolution hoping to achieve with all of this?"

"They wanted the people to stop having unapproved thoughts," he replied. "They felt that the nation could prosper only if all were thinking in the same way—their way, the approved way."

He winced a bit as he offered this explanation but was clearly convinced that his analysis was correct. For he repeated it word for word as he stared into his empty teacup: "They felt that the nation could prosper only if all were thinking in the same way—their way, the approved way."

You and I, my dear friends, are privileged to live in a land in which the imposition of thought by government is rejected out of hand. And in no small measure we have the legal profession to thank for this blessing.

It was lawyers like Montesquieu and Montaigne who were crucial in developing the basic political ideas of our free society. Twenty-five of the fifty-six who signed the Declaration of Independence, with its cry for justice and equality, were practicing attorneys. Even more, the fundamental charters of our nation, such as the Constitution and the Bill of Rights, with their uncompromising commitments to freedom of thought, were largely the work of legal experts with names like Jefferson, Adams, Wilson, Jay, Wythe, and Marshall.

Still, there are in our country today rumblings in many quarters about thoughts that are approved and thoughts that are not. Thus, the expression, "politically correct," has become a staple in our vocabularies. Indeed, over the past year or two it has graduated to the level of a familiar abbreviation. Few there are who do not know the meaning of "p.c."

One is politically correct, we understand, when one agrees with the "important" newspapers, the "quoted" professors, the "best" commentators, the "most influential" personalities. Nor can there be any doubt that this understanding is operating with remarkable efficiency. From Atlantic to Pacific, the vast majority of adult Americans are able to identify with extraordinary ease and accuracy those ideas, positions, and thoughts which are today in our land "correct" or, if you prefer, "approved."

The Readings from Sacred Scripture in our Mass this morning remind us of two cases in

point. The first of these Readings, from the Book of Genesis, is among the most familiar in all of Holy Writ. It speaks of the mind of the Divinity as regards the basics of the human condition. The male, we read, was from the time of creation not to be left alone. Rather, he was to be joined by a companion, a partner, a wife, so that together they might live out their years, two in fact but one in heart and love. And from that love was to result a miracle within the wife, a miracle before which every generation since creation has stood in awe.

In our time, however, the miracle has become as well a source of controversy. Simply put, the matter under discussion is this: May society stand idly by while a private party puts a violent end to the miracle?

Those who have embraced the "approved" thinking, the "correct" thinking, answer with a resounding "yes." The miracle, they allege, may be killed with impunity.

Others, however, dare to sing outside the chorus. Their reasoning should not be difficult to understand. The being within the mother, they note, gives strong indications of being a human being, a person with an inalienable right to live. Certainly, no one has ever been able to prove the contrary. Hence, they conclude, society has no choice but to fulfill its most fundamental duty as regards the being in question. It must protect it against attack.

There is no hint of religion in any of this unapproved thinking, though many religious people, for a multitude of religious reasons, support it. There is no mention of doctrine, dogma, sacred writings, or anything of the sort. At issue are only matters which are properly and strictly matters of the law: the meaning of personhood, the basic rights of individuals, the power of legal presumptions, and the most elementary and essential duties of society. These and nothing more.

Still, there is a tactic abroad in our land to characterize the unapproved thinking as exclusively religious and to refuse to allow it a fair hearing on this score. The tactic is clever, widespread, and effective. It should also be frightening to all who cherish the free and honorable exchange of ideas, positions, and thoughts—lawyers first and foremost.

The Gospel Reading, too, calls to mind a controversy of our time in which only certain thoughts appear to be approved.

The Lord, in the lovely account of Saint Luke, instructs His closest followers not to keep children from Him. "Let them come to Me, do not hinder them." He says, "for it is to such as these that the kingdom of God belongs."

Parents there are, to be sure, who would not be comfortable with having their children, the miracles of their love, accept such an invitation. And in this free land of ours their point of view is properly and vigorously protected. But other parents there are who firmly believe that the invitation of the Lord is most worthy, parents who wish their offspring to be educated according to the mind and will of the One Whom they call their God.

The thought of this second group is, of course, unapproved; and the tactic for dismissing it is well-known. All monies that governments collect to support schools, it is announced, must go only to those institutions in which every mention of the Divinity is outlawed. For otherwise, the state would be sustaining religion.

But when such a rule is implemented, the unapproved thinkers protest, is not irreligion being sustained? Why erect a wall only between religion and the state? Why not erect another, no less high, between the state and irreligion? Or more to the point: Why not simply concede to all parents equally the right to choose the schools of their

children and to share in the funds gathered by society to support them.

The plea is somehow ruled out of order. The "important" newspapers, the "quoted" professors, the "best" commentators, the "most influential" personalities have spoken. It remains, it would seem, for lawyers to insist that the unapproved point of view be heard and explored. For they are uniquely positioned to do this as counselors, judges, writers, thinkers, and legislators; and what is more: they have a long and noble tradition in this land of respecting and defending thought, even when it is "unapproved."

But the second Reading of our Mass this morning, from the Epistle to the Hebrews, provides yet another reason for lawyers to address the aforementioned issues of unapproved thinking and any others that come to mind. That reason is, I confess, plainly and exquisitely religious. It is simply this: We are all children of the one Father in heaven; hence, we have no choice but to listen to one another with attention, concern, and love.

Many years ago I pastored a parish on the Southside of Chicago. The community was African-American. In fact, one of my parishioners often reminded me that I was very likely the only white voter in the precinct.

My closest adviser was a retired army major who spent many an evening chatting with me about life in the distressed neighborhoods of the Windy City.

"Father," he used to tell me, "we are never going to be the nation we should be as long as any of us are kept out of the national conversation. We've got to find some powerful folks to let us all in."

This morning, thanks to the very kind invitation of the Archbishop of Washington, James Cardinal Hickey, I have the honor to speak to just such "powerful folks." Over the past thirty years, we as a nation have learned that the Black community must be a respected participant in the "national conversation." We are every day becoming more aware that the same is true of the Hispanic community. I pray that now is the time for the religious community as well. And I pray too that lawyers will lead the way in this regard, not only because of their historic position as protectors of thought and its free expression but also, and especially, because they realize, indeed, embrace in faith, that we are all children of one God, sisters and brothers who need—and have a right—to be heard.●

TRIBUTE TO MR. DARWIN HINDMAN AND THE DOLPHIN DEFENDERS

● Mr. BOND. Mr. President, I rise today to pay special tribute to Mr. Darwin Hindman of Columbia, MO, and the Dolphin Defenders of St. Louis, MO. These outstanding Missourians are among 15 honorees nationwide to receive this year's Chevron-Times Mirror Magazines Conservation Award. This honor is being bestowed in recognition of the contributions made by Mr. Hindman and the Dolphin Defenders to environmental conservation and development. I congratulate them for their highly notable achievements and encourage their continued efforts to create balanced solutions to natural resources problems.

Mr. Darwin Hindman, Jr., the newly elected mayor of Columbia and president of Missouri Rails Trails Foundation, Inc., is one of five receiving the Citizen Volunteer Award. Mr. Hindman

is responsible for establishing Katy Trail State Park along the north bank of the Missouri River. Through his public activism and fundraising efforts, Mr. Hindman successfully spearheaded creation of the Katy Trail that follows the historic Lewis and Clark expedition of 1804 to 1806. Mr. Hindman also was instrumental in developing the MKT Fitness/Nature Trail. Mr. Hindman and the foundation are working with the State and others to expand the Katy Trail, with the goal of extending it across the State.

The Dolphin Defenders of St. Louis is a group of more than 50 inner city children working to restore their neighborhood by improving the environment. Their name comes from the group's desire to mimic dolphin behavior of protecting each other from danger. The Dolphin Defenders revitalized a once trash laden vacant lot used by drug dealers and abusers into a beautiful environmental retreat now known as the Promised Land. The group has also recognized children surviving in violent communities by planting 31 trees on Arbor Day in Visitation Park. The Dolphin Defenders are one of five nonprofit organizations/public agencies to receive this year's Conservation Award. Moneys raised from the youth group's continuous collection and recycling of tires and glass bottles enable the Dolphin Defenders to pursue new environmental projects.

The honorees will be recognized at an awards dinner on May 17 in Washington, DC, and will receive a \$2,000 award along with a bronze plaque acknowledging their achievements and continued efforts to enhance the environment. The awards program was established in 1954 by the late Ed Zern, a nationally recognized sportsman, humorist, author, and former columnist for *Field & Stream*. Nearly 900 individuals and organizations have received this award since its conception to honor individuals and groups who protect and enhance renewable natural resources.

My sincerest congratulations to Mr. Hindman and the Dolphin Defenders for their significant accomplishments and contributions to conservation and the environment.●

DEPARTMENT OF THE INTERIOR POSITIONS

● Mr. MURKOWSKI. Mr. President, on April 7, 1995, the Committee on Energy and Natural Resources filed the report to accompany S. 610, a bill to provide for a visitor center at the Civil War Battlefield of Corinth, MS.

At the time this report was filed, the Department of the Interior had not submitted its position regarding this measure. The committee has since received this communication from the Department of the Interior, and I ask that it be printed in the RECORD for the advice of the Senate.

The communication follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, DC, May 10, 1995.

Hon. FRANK MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Legislation authorizing the construction of a visitor center at Corinth, Mississippi, S. 610, has been reported out of the Committee on Energy and Natural Resources. In addition to providing for a visitor center, which would be administered as part of Shiloh National Military Park, the bill authorizes the Secretary to mark sites associated with the Siege and Battle of Corinth National Historic Landmark.

On July 25, 1994, we testified before the House Subcommittee on National Parks, Forests, and Public Lands regarding the proposed visitor center at the Civil War Battlefield of Corinth. In our testimony we opposed construction of an interpretive center at Corinth. We believe such a facility is unnecessary given the presence of the National Park Service visitor center at nearby Shiloh Military Park. A visitor center at Corinth is particularly difficult to justify in light of current fiscal constraints. The cost estimate for the proposed 5,300-square-foot interpretive center is \$6 million which includes the cost of development, operation and maintenance for 5 years.

We continue to oppose proposals to construct a visitor center at Corinth. The current legislation, S. 610, would give the National Park Service primary responsibility for interpreting the story of Corinth. We believe this responsibility rests more appropriately at the local level. It is not fiscally possible for the National Park Service to have interpretive centers at every significant site associated with the Civil War. We believe we can appropriately relate the story of the Civil War in this area from our current facilities at Shiloh National Military Park.

The Office of Management and Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely,
GEORGE T. FRAMPTON, JR.,
Assistant Secretary for
Fish and Wildlife and Parks.

Mr. MURKOWSKI. Mr. President, on April 7, 1995, the Committee on Energy and Natural Resources filed the report to accompany H.R. 400, a bill to provide for the exchange of lands within Gates of the Arctic National Park and Preserve.

At the time this report was filed, the Department of the Interior had not submitted its position regarding this measure. The committee has since received this communication from the Department of the Interior, and I ask that it be printed in the RECORD for the advice of the Senate.

The material follows:

U.S. DEPARTMENT OF THE INTERIOR,
Washington, DC, April 26, 1995.

Hon. FRANK MURKOWSKI,
Chairman, Committee on Energy and Natural Resources, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are writing to express the Department of the Interior (Department) position on H.R. 400, "To provide for the exchange of lands within Gates of the Arctic National Park and Preserve, and for other purposes," as reported by the Committee on Energy and Natural Resources. The proposed legislation includes two titles which relate to Gates of the Arctic National

Park (Title I) and the acquisition of subsurface rights from Koniag, Inc. (Title II) on the Alaska peninsula.

We strongly support Title I of H.R. 400, "Anaktuvuk Pass Land Exchange and Wilderness Redesignation," as approved by the Committee. Title I authorizes a land exchange involving the National Park Service (NPS), the Nunamut Corporation and the Arctic Slope Regional Corporation concerning lands in and around Gates of the Arctic National Park and Preserve. The proposed exchange marks thousands of hours of work and over 10 years of negotiations among the affected parties. We believe the proposed exchange would resolve difficult land use issues, improve the management of the Park and benefit the people of Anaktuvuk Pass. Accordingly, the Alaska native community, the Department and private groups all supported the version of H.R. 400 that the House of Representatives passed unanimously on February 1, 1995.

As reported to the Senate, however, Title II of H.R. 400, "Alaska Peninsula Subsurface Consolidation," directs the Secretary of the Interior to acquire oil and gas rights and other subsurface interests on the Alaska peninsula from Koniag, Incorporated. We strongly oppose Title II for the following reasons. First, we do not believe that Koniag has valid selections to some of the lands that the proposed legislation would direct the Secretary to acquire. Second, both the NPS and the U.S. Fish and Wildlife Service (FWS) consider the acquisition of Koniag's mineral interests to be an extremely low priority in terms of the missions of the two agencies. However, even if we were to disregard this factor, there is a third and most critical problem with the bill as currently drafted: we believe that the directed appraisal methodology would establish a significant negative precedent in terms of longstanding and widely accepted appraisal practices. In sum, we believe that the valuation and acquisition of these interests, as directed by Title II, do not serve the interests of the Department, the Federal Government or the public at large.

A more detailed statement of our objections follows:

1. Status of Koniag entitlements and selections has not yet been determined.—The Alaska Native Claims Settlement Act, as amended, authorizes Koniag to receive the rights to oil and gas and sand and gravel used in connection with exploration and development of the oil and gas to 343,000 acres. However, Koniag has selected approximately 465,158 acres of subsurface estate, an overselection of approximately 122,158 acres: Alaska Peninsula NWR: 266,068 acres of subsurface selections.

Becharof NWR: 14,080 acres of subsurface selections.

Aniakchak NM and pres.: 185,010 acres of subsurface selections.

Total selections: 465,158 acres of subsurface estate.

Overselections: 122,158 acres of subsurface estate.

Title II does not resolve the issue of Koniag's overselections. It is our understanding that the map referenced in Section 201(8) includes all of Koniag's selections, but does not identify Koniag's 275,000 acre entitlement. The validity of certain Koniag selections is currently the subject of administrative litigation. On October 12, 1993, the Bureau of Land Management (BLM) rejected a portion of Koniag's selections. Koniag has appealed the BLM decision and the issue is currently before the Interior Board of Land Appeals.

Based on the above, we object to proposed legislation which would require the Federal Government to acquire property where the validity of certain selections is under appeal.